

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	Cr. No. 3:06-CR-126-WHA
)	
JOHN JENNINGS, II)	

UNOPPOSED MOTION TO CONTINUE EVIDENTIARY HEARING

Comes now the United States of America, by and through Leura Garrett Canary, United States Attorney for the Middle District of Alabama, and respectfully requests a continuance of the evidentiary hearing in this case. In support thereof, we would show the following:

1. An evidentiary hearing was set in this case for January 22, 2007, by Order of the Court, dated January 16, 2007.
2. The undersigned AUSA has not had an opportunity to review Dr. Boyer's report submitted by the defense, nor to determine whether its' own expert should be detained.
3. The government believes it will be able to make such assessment and determination by Tuesday, January 23, 2007, close of business.
4. The undersigned AUSA proposes that upon making such determination, a notice will be filed with this Court and counsel .
5. The undersigned has contacted Kevin L. Butler, attorney for defendant, who has no objection to this request.

For the reasons stated above, the United States requests that this Honorable Court grant a continuance of the evidentiary hearing in this case, currently set for January 22, 2007, at 10:00 a.m.

Respectfully submitted this the 19th day of January, 2007.

LEURA G. CANARY
UNITED STATES ATTORNEY

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CERTIFICATE OF SERVICE

I hereby certify that on January 19, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Kevin L. Butler.

Respectfully submitted,

LEURA GARRETT CANARY
UNITED STATES ATTORNEY

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